

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
CURVES INTERNATIONAL, INC., :  
a Texas corporation, :  
 :  
Plaintiff, :  
 :  
v. : C.A. No. 07-CV-6404 (CLB)  
 :  
STEPHANIE O'CALLAGHAN, :  
a Resident of New York, :  
 :  
Defendant. :  
-----X

**NOTICE OF DISMISSAL** *Lord*

PLEASE TAKE NOTICE, that no adverse party has served an answer or a motion for summary judgment and that, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff CURVES INTERNATIONAL, INC., by its attorneys, O'ROURKE & DEGEN, PLLC, hereby voluntarily give notice of the dismissal, without prejudice, of this action.

Respectfully submitted,

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Attorneys for Plaintiff

Curves International, Inc.

Dated: September 18, 2007

SO ORDERED:



**UNITED STATES DISTRICT JUDGE**

Date: September 19, 2007  
White Plains, NY

**CERTIFICATE OF SERVICE**

I hereby certify, under penalty of perjury, that on September 18, 2007 a copy of the Notice of Dismissal was sent this date by regular mail addressed to each of the following:

Stephanie O'Callaghan  
11 Glengary Road  
Croton-on-Hudson, New York 10520

  
RONALD D. DEGEN (RD 7808)